

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

WILLIAM F. WARD,

Plaintiff,

v.

JOHN F. MOFFITT,

Defendant.

2:10-CV-139 JCM (RJJ)

**ORDER**

Presently before the court is the report and recommendation of United States Magistrate Judge Robert J. Johnston (Doc. # 5), filed on February 26, 2010.

Upon reviewing the plaintiff's application to proceed in forma pauperis and hearing representations by the plaintiff, Judge Johnston recommended that the case be dismissed because plaintiff was seeking to sue his former landlord in California for eviction by asserting an A.D.A. claim. Judge Johnston further notes that the plaintiff requested that the case be dismissed.

Local Rule IB 3-1 states that any party wishing to object to the ruling of the magistrate judge on a pretrial matter shall file a specific objection within ten (10) days from the date of service of the magistrate judge's ruling.

Upon review of the magistrate judge's findings and recommendation (Doc. # 4) and there being no objections filed,

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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that United States Magistrate  
2 Judge Robert J. Johnston's report & recommendation (Doc. # 5) is AFFIRMED in its entirety. The  
3 instant action is hereby DISMISSED with prejudice.

4 DATED April 8, 2010.

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7 UNITED STATES DISTRICT JUDGE  
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